

E-filed on: 10/18/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

TELE ATLAS N.V. and TELE ATLAS
NORTH AMERICA,

Plaintiffs,

v.

NAVTEQ CORPORATION,

Defendant.

No. C-05-01673 RMW (RS)

FURTHER ORDER REGARDING
PRETRIAL PREPARATION AND
GRANTING LEAVE TO FILE MOTION FOR
RECONSIDERATION

NAVTEQ has filed an emergency motion for leave to file a motion to reconsider a portion of the court's summary judgment order. NAVTEQ has failed to show the "emergence of new material facts or a change of law occurring after the time of [the] order." Civil L.R. 7-9(b)(2). The court may, however, have committed a "manifest failure" in its consideration of the legal issue presented. *See* Civil L.R. 7-9(b)(3). Accordingly, the court grants NAVTEQ's motion for leave to file a motion for reconsideration. The motion will be heard at the pretrial conference on November 12, 2008. Tele Atlas shall file its opposition by November 5, which shall not exceed 15 pages. NAVTEQ may file a reply of up to 5 pages by November 7.

To maintain the pretrial schedule, the court also sets the following deadlines:

October 31, 2008 File written consents to magistrate judge jurisdiction and waiver of any objection to permitting the "settlement judge" to preside over the trial.

FURTHER ORDER REGARDING PRETRIAL PREPARATION AND GRANTING LEAVE TO FILE MOTION FOR
RECONSIDERATION

No. C-05-01673 RMW (RS)

TSF

1 **November 10, 2008** File stipulated jury questionnaire. The court will only consider a jury
2 questionnaire if the parties agree to the wording. If the parties cannot agree to
3 a questionnaire, the parties may instead submit their proposed *voir dire*
4 questions at this time.

5 File revised trial time estimates. The court's summary judgment order
6 narrowed the issues to be decided at trial somewhat. The court would
7 appreciate knowing whether this impacts the parties' estimates for the length
8 of the trial. The court intends to hold trial from 8:15 to 1:15 each day with
9 two 15-minute breaks.

10 **November 24, 2008** Reserve the afternoon for hearing any pretrial matters, including any *Daubert*
11 issues, not resolved at the November 12 pretrial conference.

12
13
14 DATED: 10/28/08



15 RICHARD SEEBORG
16 United States Magistrate Judge
17
18
19
20
21
22
23
24
25
26
27
28

1 **Notice of this document has been electronically sent to:**

2 **Counsel for Tele Atlas:**

3	Melissa J Baily	melissabaily@quinnemanuel.com
4	David Eiseman	davideiseman@quinnemanuel.com
5	Robert P. Feldman	rfeldman@wsgr.com
6	Kristin Janet Madigan	kristinmadigan@quinnemanuel.com
7	William Morehead	williammorehead@quinnemanuel.com
8	Emily Christina O'Brien	emilyobrien@quinnemanuel.com

9 **Counsel for NAVTEQ:**

10	David S. Bloch	dbloch@winston.com
11	Andrew Bridges	abridges@winston.com
12	David Koropp	dkoropp@winston.com
13	George Lombardi	glombardi@winston.com
14	Kevin Joon Oh	koh@winston.com
15	Megan Elizabeth Schaefer	mschaefer@winston.com
16	Dan Webb	dwebb@winston.com

17 Counsel are responsible for distributing copies of this document to co-counsel that have not registered
18 for e-filing under the court's CM/ECF program.

19 **Dated:** 10/28/08

/s/ BAK

Chambers of Judge Seeborg

20
21
22
23
24
25
26
27
28
FURTHER ORDER REGARDING PRETRIAL PREPARATION AND GRANTING LEAVE TO FILE MOTION FOR
RECONSIDERATION

No. C-05-01673 RMW (RS)

TSF